REMARKS

STATUS OF CLAIMS

Claim 1 has been amended, and claims 2 and 3 have been canceled. Claims 3, 6 and 13 have been amended, and claims 15 and 16 have been added. Claims 1-6, 10-13, 15 and 16 are now pending in this application. No new matter has been added. Claims 7-9 and 14 are withdrawn from consideration as being directed to a non-elected invention.

The indication in the Final Office Action dated February 1, 2007 that claims 6 and 13 are objected to, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims is acknowledged and appreciated.

By this response, claims 6 and 13 have been amended to be in independent form including all the limitations of the corresponding base claim. Consequently, claims 6 and 13, as amended, are believed to be allowable.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 1-5 and 10-12 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Johnson (USPN 5,892,847).

The rejections are respectfully traversed. The remarks submitted in the Response dated May 1, 2007 are not repeated herein, but are incorporated herein by reference thereto.

Claim 1 of the present application is directed to dealing with original image data having a broad dynamic range and narrow-range image data narrower in dynamic range than the broad-range data. Applicant wishes to point out that the words "broad" and "narrow" are referred to in

terms of dynamic range. In contrast, Johnson teaches broad-range image data representative of Y_tau2 miniature, Fig. 10. According to Fig. 10 and column 11, line 47 to column 12, line 6 of Johnson, Y_tau2 miniature results from DCT transform, which is a measure of suppressing a frequency band, and not compressing the dynamic range of image data, i.e., not reducing the quantization steps, to which Applicant's invention is directed.

The Examiner challenges the arguments submitted in the previous Response on the ground that the reduction of bit depth is not recited in the rejected claims (see the first paragraph of page 3 of the Office Action dated February 1, 2007). However, in the present claims, the words "dynamic range" are definitely recited. For example, claim 1 recites:

> converting broad-range image data having a broad ***dynamic range*** to narrow-range image data narrower in ***dynamic range*** than the broad-range image data;
>
> inversely converting the narrow-range image data to thereby output inversely converted image data having a same ***dynamic range*** as the broad-range image data;
>
> calculating difference data representative of a difference between the broad-range image data and the inversely converted image data; and
>
> generating a file that relates the difference data, information relating the difference data to said step of converting and the narrow-range image data to one another. (Emphasis Added)

Applicant stresses that a patent specification is directed to one having ordinary skill in the art. ***In re Howarth***, 654 F.2d 103, 210 USPQ 689 (CCPA 1981). Accordingly, conventional knowledge is read into this disclosure, relieving Applicants of the burden of disclosing in painstaking detail that which is already known, thereby burdening the Patent and Trademark Office with cumbersome specifications. ***Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.***, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984); ***In re Howarth, supra.***

It is submitted that a person of ordinary skill in the art to which the invention pertains would understand that "***dynamic range***", as used in connection with image data, refers to quantizing levels, which are defined by bit positions. Thus, a person of ordinary skill in the art to which the invention pertains would understand that "conversion of the dynamic range of image data" refers to the reduction of the bit positions defining quantizing levels (i.e., reducing the bit dept). More specifically, since the "dynamic range of image data" is being converted, it is implicit that reduction of the bit positions of the quantizing levels of the image signals occurs and that this is the operation of reducing the bit depth of the quantized image signals.

Anticipation, under 35 U.S.C. § 102, requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference. ***Kalman v. Kimberly-Clark Corp.***, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983).

Referring to the Response dated March 22, 2006, DCT transform disclosed in Johnson is a type of data compression (orthogonal transform) and **NOT** the reduction of the bit positions of the quantizing levels of the image signals (i.e., reducing the bit dept of the quantized image signals), as required by independent claims 1 and 10. Thus, independent claims 1 and 10 are patentable over Johnson, as are dependent claims 2-5, 11 and 12. Therefore, the allowance of claims 1-5 and 10-12 is respectfully solicited.

NEW CLAIMS

New claims 15 and 16 are submitted. Claims 15 and 16 correspond to claims 2 and 3, but depending from amended claim 6. As amended claim 6 is believed to be allowable, claims 15 and 16 are believed to be allowable also.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By _____

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